

## **EXHIBIT 3**

## LETTER OF ASSURANCE FOR ESSENTIAL PATENTS

Please return or FAX to: Secretary, IEEE-SA Standards Board Patent Committee  
 Institute of Electrical and Electronics Engineers, Inc.  
 445 Hoos Lane  
 Piscataway, NJ 08855 USA  
 FAX (+1 732-562-1571)

*No license is implied by submission of this Letter of Assurance*

**A. PATENT HOLDER/ORGANIZATION:**

Legal Name of Organization: Agere Systems Inc.

**B. PATENT HOLDER'S CONTACT FOR LICENSE APPLICATION:**

Name & Department: Vinod M Pathare, Manager - Licensing, Intellectual Property  
 Address: 1100 American Parkway NE, Room 12C-347, Allentown, PA 18109  
 Telephone: (610)712-6906 Fax: (610)712-3467 E-mail: vpathare@agere.com

**C. IEEE STANDARD or PROPOSED IEEE STANDARD:**

Number: IEEE 802.11n  
 Title: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) Specifications: Enhancements for Higher Effective Throughput

**D. PATENT HOLDER'S POSITION REGARDING LICENSING ESSENTIAL PATENT RIGHTS:**

If the Patent Holder owns or controls granted patent(s) and/or pending applications that it believes may be infringed by compliance with the Proposed IEEE Standard, please specify the patent number, published application, and/or relevant claims. (A patent search is not required.)

Patent Number(s) (if known): Unknown

Relevant Claims (optional): \_\_\_\_\_

The Patent Holder states that its position with respect to licensing such patent(s) is as follows (check one box only):

- ☐ 1. The Patent Holder is prepared to grant a free license to an unrestricted number of applicants on a worldwide, non-discriminatory basis to comply with the [Proposed] IEEE Standard.
- ☒ 2. The Patent Holder is prepared to grant a license to an unrestricted number of applicants on a worldwide, non-discriminatory basis and on reasonable terms and conditions to comply with the [Proposed] IEEE Standard.
- ☐ 3. The Patent Holder is unwilling to grant licenses according to the provisions of either 1 or 2 above.
- ☐ 4. I am not aware of any patent(s) and/or patent claim(s) that my company may hold that would be relevant to the subject matter of the [Proposed] Standard.

**E. SIGNATURE:**

Print name of authorized person: Kapil A. Kumar

Title of authorized person: Director - Licensing, Intellectual Property

Signature of authorized person: Kapil A. Kumar Date: 9/13/04

*Note: This assurance applies from the date of the standard's approval to the date of the standard's withdrawal and is irrevocable during that period.*